

AUG 10 2016

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,)

v.)

MICHAEL LOVERN GUTHRIE,)

Defendant.)

Case No. 7:11-cr-00060

By: Michael F. Urbanski
United States District Judge

ORDER

Before the court are motions regarding the briefing schedule governing Petitioner Michael Lovern Guthrie's 28 U.S.C. § 2255 case. The United States moves that this case be stayed pending the decision of the United States Supreme Court in Beckles v. United States, No. 15-8544. ECF No. 74. Petitioner initially moved that this case be stayed pending receipt of permission from the Fourth Circuit Court of Appeals allowing Petitioner to file his § 2255 motion. ECF No. 70. After receiving authorization to pursue his § 2255 claim, Petitioner moved that the court allow him until July 28, 2016 to respond to the United States' motion to stay. ECF No. 75. Petitioner then filed a motion opposing to the United States motion to stay, seeking that a briefing schedule be set now. ECF No. 76.

The court **GRANTS** the United States motion, ECF No. 74, to stay this case pending the decision of the United States Supreme Court in Beckles v. United States. Petitioner's motion opposing the United States' motion to stay, ECF No. 76, is **DENIED**, and Petitioner's earlier motions, ECF Nos. 70 and 75, are now **MOOT**.

It is so **ORDERED**.

Entered: 08-09-2016

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge